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Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2009

Corrigendum

Chapter XII, draft resolution VI, Sections B.IX and B.X

For the existing text *substitute*

IX. Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena and other relevant information,

Taking note also of the statement of the representative of Saint Helena at the Caribbean regional seminar held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Noting the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution and its publication in June 2008 for further public consultation, and the entry into force of the new constitution for Saint Helena, Ascension and Tristan da Cunha on 1 September 2009,

Noting in that regard the importance of the right to nationality for Saint Helenians and their previously expressed request that the right, in principle, be included in a new constitution,

Aware that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware also of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

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Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena,

Noting further in this regard the administering Power's decision in December 2008 to pause the negotiations on the Saint Helena airport,

1. *Welcomes* the entry into force of the Territory's new constitution on 1 September 2009;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Notes* the decision by the administering Power to consult on whether an airport is the most appropriate option for access to Saint Helena in the current economic climate, and calls upon the administering Power to take into account the unique geographical character of Saint Helena in the process of consultation.

X. Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands and other relevant information,

Taking note also of the statement of the representative of the Turks and Caicos Islands at the Caribbean regional seminar held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Recalling also the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting that the 2006 Constitution of the Turks and Caicos Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Noting also the administering Power's decision to suspend parts of the 2006 Turks and Caicos Islands constitution, covering the constitutional right to trial by jury, ministerial Government, and the House of Assembly, following the recommendations of an independent Commission of Inquiry and the ruling of the administering Power's Court of Appeal,

Acknowledging the impact that the global financial crisis has had on tourism and related real estate development, the mainstays of the Territory's economy,

1. *Recalls* the Constitution of the Territory, which took effect in 2006, and notes the view of the former territorial Government that there remains scope for a degree of delegation of the Governor's power to the Territory so as to secure greater autonomy;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3 *Notes with concern* the ongoing situation in the Turks and Caicos Islands, and also notes the efforts of the administering Power to restore good governance and sound financial management in the Territory;

4. *Calls for* restoration of constitutional arrangements providing for representative democracy through elected territorial Government as soon as possible;

5. *Welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory.